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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,435	07/24/2001	William J. Bushee	21-0853	4679

40158 7590 07/26/2005	EXAMINER
LEONARD & PROEHL, PROF. L.L.C.	WONG, LESLIE
3500 SOUTH FIRST AVENUE CIRCLE	

	ART UNIT	PAPER NUMBER
SUITE 250	2167	
SIOUX FALLS, SD 57105		

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *32 and 34* is/are allowed.

6)☒ Claim(s) *1-3,18,30,31 and 33* is/are rejected.

7)☒ Claim(s) *4-17 and 19-29* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Receipt of Applicant's Amendment, filed 16 May 2005, is acknowledged.

Withdrawal of Objection

2.   Applicants' amendments, submitted on 16 May 2005, overcome objections to the

Abstract of the invention. Examiner hereby withdrawn the objections that were given in

the Office Action dated 04 April 2005.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-3, 18, 30-31, 33, 35-42 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Egendorf et al.** ("Egendorf") (us 20030177111a1) in view of **Kelley**

et al. ("Kelley") (U.S. patent 6,247,029).

       Regarding claims 1 and 35-36, 38-39, and 41, **Egendorf** teaches a method for

the automatic configuration of dynamic database search forms comprising:

a).   obtaining a database listing containing the uniform resource

locators(URLs) for each one of a plurality of databases to be configured (¶ 0088 and

0092);

b).   accessing each one of said plurality of databases (¶s 0074 and 0077);

d).   locating data entry windows in said captured web page (¶ 0075);

e).   selecting a most probable data entry window of data entry windows for

passing queries to said data base (¶ 0079);

f).   searching candidate responses for a next link indicating a next page for

additional results from said database in response to a query (¶s 0078, and 0088-0089);

and

g).   writing an engine file describing the form layout and requirements based

upon said candidate responses and said next link (¶ 0186).

c).   **Egendorf** does not explicitly teach capturing a web page from the

database associated with said URL.

Kelly, however, teaches 'capturing a web page from the database associated

with said URL' as the form file is stored as an HTML source file. The stored form file

includes the HTML source file combined with the set of data used to complete the

source file (col. 3, lines 14-22). [Based on Applicant's Specification page 12, first

paragraph, Examiner interprets the meaning of capturing a web page as storing the

source text of the page: view-> source].

It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to combine the teachings of the cited references because **Kelly's**

teaching would have allowed **Egendorf's** to provide a process and system for

simplifying entry of data by storing the HTML source file as suggested by **Kelly** at col. 1,

lines 32-41.

Regarding claim 2, **Egendorf** further teaches wherein the step of accessing each

one of said plurality of databases further comprises accessing a network and following a

URL to a database on said network to be configured for automatic completion of search

forms (¶s 0196-0197).

Regarding claims 3, 37, 40, and 42, **Egendorf** further teaches the step of

locating data entry windows in said captured web page further comprises:

a).   saving information captured from the web page as a source version of the

web page (¶ 0237);

b).   filtering said source version into additional listings of URLs and text

portions (¶ 0086);

c).   examining said text portions for occurrences of a form label (¶ 0081);

d).   collecting each form tagged with the form label (¶s 0084-0088;

e).   scoring each one of said forms to develop a numerical representation of a

likelihood that any one form is a query input form (¶s 0038 and 0086);

f).   selecting one of said forms based on said form having a higher numerical

representation than any other of said forms (¶s 0086 and 0088);

g).   storing an action string associated with said form, said action string

comprising a URL having at least a domain portion, a program portion, and a query

portion (¶s 0074, 0076-0078);

h).   storing a form method indicator associated with said database (¶s 0088

and 0093-0094).

Regarding claim 18, **Egendorf** further teaches the steps of:

a).   determining a location of each one of a plurality of results locations on a

responsive web page where results from a query are posted (¶s 007-0088, and 0221).

b).   determining a location of each one of a plurality of non-results items on a

responsive page are posted (¶ 0082).

Regarding claims 30 and 33, **Egendorf** teaches a system for the automatic

configuration of dynamic database search forms comprising:

a).   a computer system having a storage means for facilitating the retention

and recall of dynamic database content , said computer system having a

communications means for performing bi-directional communications between said

computer system and a network (¶s 0093-0094, and 0237);

b).   a query input means for receiving a plurality of queries from a user and

transferring the plurality of queries to a plurality of databases (¶ 0151-0156, and 0184);

c).   an action string module interfaced to said computer system configured to

automatically determine a format associated with an entry page for a database from

said entry page, said action string module being configured to automatically determine

an appropriate data entry window on said entry page for use in passing a query to said

database (¶s 0054, 0056 and Fig. 2B, 0073, 0076-0078, 0088, and 0194);

d).   a results module interfaced to said computer system and said action string

module, said results module locating areas on a responsive page returned by said

database in response to said query where results are placed (Fig. 2A, element 108);

e).   a next link module interface to each one of said computer system, actions

string module, and results module, said next link module locating a link associated with

additional results provided by said database in response to said query (¶s 0078, and

0088-0089);

f).   an engine file module interfaced to said computer system and every other

module for storing results produced by each module such that a general format query is

translatable into a database specific format allowing a common query to be submitted to

multiple databases each requiring different formats (¶ 0048 and Fig. 2A, element 108,

and Fig. 4) .

Regarding claim 31, **Egendorf** further teaches a data comparison portion

providing user specific information to each of said modules for facilitating analysis of

said database (¶ 0079).

Allowable Subject Matter

5.   Claims 32 and 34 are allowed.

The following is an examiner's statement of reasons for allowance:

Prior art of record fails to teach a combination of elements including comparing said action string with said listing of bad action strings and determining if a portion of said action string matches any bad action strings of said listing of bad action strings, setting said numerical representation to zero and terminating said step of scoring if a portion of said action string matches any of said bad action string within a predefined window determined by a bidding factor as recited in dependent claims 4 and 17.

Prior art of record fails to teach a combination of elements including comparing said action string with said listing of bad action strings and determining if a portion of said action string matches any bad action strings of said listing of bad action strings, setting said numerical representation to zero and terminating said step of scoring if a portion of said action string matches any of said bad action string within a predefined window determined by a binding factor;

comparing said action string with said listing of undesirable link text and determining if a portion of said action string matches any undesirable link texts of said listing of undesirable link texts, setting said numerical representation to zero and terminating said step of scoring if a portion of said action string matches any of said undesirable link texts within a predefined window determined by a binding factor;

comparing said action string with said listing of undesirable value and determining if a portion of said action string matches any undesirable values of said listing of undesirable values, setting an undesirable value metric to a presence

predetermined value if a portion of said action string matches any of said undesirable value within a predefined window determined by a binding factor, and setting an undesirable value metric to an absence predetermined value if a portion of said action string does not match an undesirable value within a predefined window determined by a binding factor;

comparing said action string with said listing of desirable link text and determining if a portion of said action string matches any desirable link texts of said listing of desirable link texts, setting a desirable link text metric to a presence predetermined value if a portion of said action string matches any of said desirable link texts within a predefined window determined by a binding factor, and setting an desirable link text metric to an absence predetermined value if a portion of said action string does not match a desirable link text within a predefined window determined by a binding factor; and

using values for said presence predetermined value associated with said name matching metric, said absence predetermined value associated with said undesirable value metric, said presence predetermined value associated with said desirable text metric, and said null text metric such that the relative weighting of each of said metrics is approximately 3 : 2 :2 : 1 respectively as recited in dependent claim 29.

Prior art of record fails to teach a combination of elements including a bad action string listing providing URLs for known databases which are not to be included in the analysis of said databases, a desirable text link listing providing a plurality of desirable

terms for use in analysis of said databases, a presence of any one of said plurality of

desirable terms increasing a score associated with a data entry window on one of said

response pages; an undesirable text link listing providing a plurality of undesirable terms

for use in analysis of said databases, a presence of any one of said plurality of

undesirable terms setting a score associated with a data entry window on one of said

responsive pages to 0 and ending analysis of said data entry window; an undesirable

value listing providing a plurality of undesirable values for use in analysis of said

databases, a presence of any one of said plurality of undesirable values decreases a

score associated with a data entry window on one of said responsive pages as recited

in independent claims 32 and 34.

Claims 5-16 and 19-28 are objected to as being dependent upon a rejected base

claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

These features, together with the other limitations of the independent claims are

novel and non-obvious over the prior art of record.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Leslie Wong whose telephone number is (571) 272-

4120. The examiner can normally be reached on Monday to Friday 9:30am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Leslie Wong
Patent Examiner
Art Unit 2167

LW
July 23, 2005